

TRIAL AT THE CAPITAL.

Coxey and His Lieutenants Before the Courts.

CONSTITUTIONAL POINTS ARE SPRUNG.

Arguments Will Probably Be Completed Today.

Randall's Vandalism Creates a Riot at Valparaiso, Ind.—Fry's Provisions Are Running Low—Kelly's Men Grow Daily More Disheartened, and the Outlook Is Indeed Gloomy—Oklahoma's Home Reserve and Butte's Home Guard Pass Anarchistic Resolutions—Northwestern Contingent Degrading Into an Unorganized Body of Traitors.

Washington, May 4.—Coxey and his lieutenants, Browne and Jones, were arraigned in the district police court today for violation of the Capitol grounds act. The court room was filled. Populist members of Congress constituting a notable part of the assembly.

Attorneys Hyman and Lipscomb, for the defendants, raised the issue of the constitutionality of the law under which their clients were arrested.

The point was argued by Senator Allen, of Nebraska. Congress, he said, had no power to confer upon the vice-president and speaker the right to suspend the enforcement of an act any more than it had the right to confer the power upon the czar of Russia. He denounced the courts for assuming legislative functions. The case, he declared, would assume national importance. He quoted the magna charta and American revolutionary history, and declared that the denial of the rights of peaceable assembly and petition. Those rights were guaranteed in the constitution and records every spot in the country. Columbia, just as much as California, Texas or Florida.

Judge Miller, after the arguments closed, overruled the objections of the counsel holding the Capitol grounds act a special trial.

The empanelling of a jury occupied two hours. The secretary of the board of trade was temporarily challenged by the defense.

Maloney then made the opening statement for the prosecution.

The trial will be continued tomorrow and the attorneys stated to the court today, they expected to conclude then.

BUTTE'S HOME GUARD.

A Demand That Coxeyites Have the Right of Way.

Washington, May 4.—Senator Power today presented a petition adopted at a mass meeting in Butte, Mont., declaring in favor of the organization of a "home guard" for Coxey's army "to assist in case of a necessary," and calling on the Montana and Idaho legislatures to provide for the same. The resolutions denounce the deputy United States marshal at Montana and refers to those who fired on the Coxeyites as a "band of mercenaries composed of the scum of humanity in the employ of the government."

RAPIDLY GOING TO PIECES.

Northwestern Industrial Army Now an Unorganized Body of Traitors.

Tacoma, May 4.—The northwestern industrial army has developed into an unorganized body of traitors. No freight trains sent out today, east-bound, and the men will have no chance to steal rides until the overland train leaving here at 11 p. m. passes. They are scattered to the number of about 1,000 men between the summit of the Cascades, waiting for a chance to sneak on to the blind baggage on brakemen.

The sidetracked train at Palmer, which the commonwealers boarded last night, is still there under guard of six deputies. Most of the industrialists were tramping up the track in small squads.

KELLY'S CONDITION IS SERIOUS.

No Food and No Prospect of Transportation.

Des Moines, Iowa, May 4.—Kelly's industrialists are disheartened. At breakfast time the commissary officers reported 1,000 loaves of bread on hand but scarcely enough meat and coffee to supply the officers' mess.

Governor Jackson is endeavoring to secure cheap rates to the river, but is not confident of success.

To carry the men to the Mississippi will cost \$65,000, and the railroads will accept nothing less. It is the general impression that Kelly will be starved out and the army divided into a corporal's guard before the river is reached.

The folks who have been feeding the army here are becoming disgusted. There has been no attempt to keep the camp clean and it is in a disgusting state, so much so that there is apprehension of disease.

At a conference tonight the plan of building flat boats for floating down the Des Moines river to the Mississippi near Keokuk was seriously discussed by Kelly and his advisers. The matter will be finally acted upon tomorrow.

That "Diabolical Outrage."

Guthrie, O. T., May 4.—The Oklahoma division of the army of the commonwealth held a great rally tonight. About 400 soldiers were present. After a number of stirring addresses, a resolution was adopted deploring the unlawful action by the Washington authorities in preventing Coxey from speaking, and calling for immediate action upon the part of Congress to bring a lawful judgment on the guilty persons concerned in this diabolical outrage.

Randall's Vandalism.

Valparaiso, Ind., May 4.—General Randall arrived at Hobart with his army today. They "confiscated" all the bread and crackers in town and there was considerable rioting. Resolutions passed by the Valparaiso citizens, demanding that the army be prohibited from entering the city, were handed Randall, but he said they would march to Valparaiso nevertheless.

Provisions Running Low.

Indianapolis, May 4.—General Frye and his army of 400 commonwealers are anxious to get out of Indianapolis. Provisions are running low and the citizens do not show a disposition to longer support the army. General Frye said that he hoped to move forward to Washington Saturday. He says he will think himself hardly treated if railroad transportation is denied him. He says if he cannot get transportation the army will walk.

Refused to Express Coxey, Jr.

Masilion, Ohio, May 4.—Z. Shoemaker,

of this city, has received a telegram from Coxey requesting him to express the "general's" 3-year-old son to Washington immediately. The express companies refused to accept and transfer the child.

Anderson, Indiana, May 4.—The Indiana industrial army, under command of General Aubrey, has arrived here.

IT IS DANGEROUS.

A New Two Dollar Counterfeit Bill Being Circulated.

Washington, May 4.—The secret service of the treasury is informed of the existence of a new and dangerous counterfeit of the two dollar treasury note. It is of the series of 1891, check letter, "B." J. F. Timman, registrar, R. M. Morgan, treasurer, with McPherson's portrait on the note. This note is printed on poor, flimsy paper. The numbering is poor, both as to formation and color, being almost brown or chocolate instead of carmine. The seal is about one-eighth of an inch smaller than the genuine and is a dull, dark, faded red, instead of a bright pink as in the genuine. In the McPherson portrait, the collar in the counterfeit shows all around in front, giving the whiskers the appearance of being evenly trimmed. In the genuine the beard extends below the collar, partially hiding the small words "two" which appear in two places and the figure two in the lower right hand corner face of the genuine bill are missing in the counterfeit. The latter work on the face of the note is well executed. The note is regarded as dangerous.

TRACK AND DIAMOND.

The Great Events in the Sporting World Yesterday.

Nashville, May 4.—The track was slippery, weather cloudy and attendance about 2,000 at Cumberland park today. As a consequence, the sport was far from interesting. It was a day of surprises, only one first pick getting home in front. The winners were all well back. The main event, a mile and a half, was won by a field of fair class.

First race, six furlongs—Santa Maria won, Conner second, Henry Young third. Time—1:17. Second race, four and a half furlongs—Leon's Last won, Capri second, Duncan third. Time—1:57. Third race, Duncan hotel handicap, for all ages \$1,000, one mile—Linda won, Duncan second, King Lee third. Time—1:44.

Sixth race, six furlongs, heats—First heat: Say On, won, Miss Dixie second, Tom Kelly third. Time—1:17. Second heat: Say On, won, Miss Dixie second, Tom Kelly third. Time—1:17. Fifth race, one mile—Revenue won, Valera second, Red Cap third. Time—1:49. Sixth race, one mile—The Queen won, Imp Flory Myers second, Beatrice third. Time—1:47.

Results at Roby.

Roby, May 4.—First race, nine-sixteenths of a mile—C. Heiss won, Tomay Dixen second, Bankrupt third. Time—1:10. Second race, five furlongs—H. Henry won, La Garra second, Yucatan third. Time—1:37. Third race, eleven-sixteenths of a mile—Oscar won, Shenandoah Maid second, Theodore H third. Time—1:14.

Fourth race, six furlongs—Marie Livell won, Westchester second, Outlook third. Time—1:21. Fifth race, five furlongs—Antrim won, Easton second, Major Thornton third. Time—1:37. Sixth race, nine-sixteenths of a mile—Marcellina won, Verba second, Meadow third. Time—1:10.

Results at Hawthorne.

Hawthorne, May 4.—First race, seven furlongs—Jimmy R won, Fairknit second, Bound Brook third. Time—1:39. Second race, mile and seventy yards—Good Bye won, Patrick second, Illume third. Time—2:10. Third race, half mile—Lillian C won, Tata second, Toby third. Time—1:33. Fourth race, three-quarters of a mile—M. J. R. won, Fancy second, Furry third. Time—1:24. Fifth race, three-quarters of a mile—Asrael won, Imp Percy second, Montana third. Time—1:20.

Results at St. Louis.

St. Louis, May 4.—First race, five furlongs—Mitra won, W. T. Ellis second, Lizzie V third. Time—1:54. Second race, one-half mile—Momsu won, Dr. Work second, Maggie Barry third. Time—1:16. Third race, six furlongs—Joe Courtney won, Frank C second, Knickerbocker third. Time—1:15. Fourth race, five furlongs—Republic won, Edmund Connelly second, Florence Shanks third. Time—1:37. Fifth race, one mile—Senator Irbay won, My Partner second, Jardine third. Time—1:46.

Results at Fresno.

San Francisco, Cal., May 4.—First race, five furlongs—Chula, 81 (E. Jones), 10 to 1; won; Rear Guard, 116 (Bozeman), 7 to 5; second; Gold Dust, 85 (Russell), 30 to 1; third. Time—1:24. Second race, half mile, maidens—Marigold, 115 (Combs), 40 to 1; won; Charity, 101 (Milroy), 10 to 1; second; Armo also ran.

Third race, half mile, maidens—Marigold, 115 (Combs), 40 to 1; won; Charity, 101 (Milroy), 10 to 1; second; Armo also ran.

Fourth race, half mile, maidens—Marigold, 115 (Combs), 40 to 1; won; Charity, 101 (Milroy), 10 to 1; second; Armo also ran.

Fifth race, half mile, maidens—Marigold, 115 (Combs), 40 to 1; won; Charity, 101 (Milroy), 10 to 1; second; Armo also ran.

Sixth race, half mile, maidens—Marigold, 115 (Combs), 40 to 1; won; Charity, 101 (Milroy), 10 to 1; second; Armo also ran.

Seventh race, half mile, maidens—Marigold, 115 (Combs), 40 to 1; won; Charity, 101 (Milroy), 10 to 1; second; Armo also ran.

Eighth race, half mile, maidens—Marigold, 115 (Combs), 40 to 1; won; Charity, 101 (Milroy), 10 to 1; second; Armo also ran.

Ninth race, half mile, maidens—Marigold, 115 (Combs), 40 to 1; won; Charity, 101 (Milroy), 10 to 1; second; Armo also ran.

Tenth race, half mile, maidens—Marigold, 115 (Combs), 40 to 1; won; Charity, 101 (Milroy), 10 to 1; second; Armo also ran.

Eleventh race, half mile, maidens—Marigold, 115 (Combs), 40 to 1; won; Charity, 101 (Milroy), 10 to 1; second; Armo also ran.

Twelfth race, half mile, maidens—Marigold, 115 (Combs), 40 to 1; won; Charity, 101 (Milroy), 10 to 1; second; Armo also ran.

Thirteenth race, half mile, maidens—Marigold, 115 (Combs), 40 to 1; won; Charity, 101 (Milroy), 10 to 1; second; Armo also ran.

Fourteenth race, half mile, maidens—Marigold, 115 (Combs), 40 to 1; won; Charity, 101 (Milroy), 10 to 1; second; Armo also ran.

Fifteenth race, half mile, maidens—Marigold, 115 (Combs), 40 to 1; won; Charity, 101 (Milroy), 10 to 1; second; Armo also ran.

Sixteenth race, half mile, maidens—Marigold, 115 (Combs), 40 to 1; won; Charity, 101 (Milroy), 10 to 1; second; Armo also ran.

Seventeenth race, half mile, maidens—Marigold, 115 (Combs), 40 to 1; won; Charity, 101 (Milroy), 10 to 1; second; Armo also ran.

Eighteenth race, half mile, maidens—Marigold, 115 (Combs), 40 to 1; won; Charity, 101 (Milroy), 10 to 1; second; Armo also ran.

Nineteenth race, half mile, maidens—Marigold, 115 (Combs), 40 to 1; won; Charity, 101 (Milroy), 10 to 1; second; Armo also ran.

Twentieth race, half mile, maidens—Marigold, 115 (Combs), 40 to 1; won; Charity, 101 (Milroy), 10 to 1; second; Armo also ran.

Washington, May 4.—The home team won the week in the box today, and before the game was over Petty and Stevens had been knocked out and Mercer pitched the last ball. Score: Washington—20 11 000 10—5. Base hits, 4; errors, 4. Boston—000 20 490 0—15. Base hits, 4; errors, 2.

At Toledo.

Toledo, O., May 4.—There was no hope for Indianapolis after the third inning today. Phillips was hit freely and costly errors contributed their quota in piling up Toledo's score. Toledo—10 2 40 30 42—16. Base hits, 17; errors, 10. Indianapolis—1 000 000 00—1. Base hits, 1; errors, 2.

At Kempton Park.

London, May 4.—The Kempton Park racing meeting opened today with the Royal 2-year-old plate of 2,000 sovereigns, a distance of five furlongs on the straight course. The winner was won by Mr. A. W. Cox's choice, Mr. T. Carr, Mrs. C. C. Curran finished second, and Mr. Daniel Cooper's Saintly third.

At Chicago.

Chicago, May 4.—The season opened here today with a very pretty contest. Chicago—1000 30110—6. Base hits, 11; errors, 1. Cincinnati—1000 20000—3. Base hits, 12; errors, 2. Batteries—McGuinn and Schriver; Dwyer and Vaughn.

At Cleveland, Ohio.

Cleveland, Ohio, May 4.—About 2,200 spectators saw the Cleveland beat the Louisville with ease this afternoon. Score: Cleveland—1300 20020—8. Base hits, 11; errors, 0. Louisville—00 101011—4. Base hits, 15; errors, 1. Batteries—Cuppy and O'Connor; Hemming and Weaver.

At New York.

New York, May 4.—Difficult catches by Van Hook and Burke in the eighth and a double play by Ward and Connor in the ninth, saved the game to New York. Attendance, 2,500. Score: Philadelphia—2010 10000—4. Base hits, 10; errors, 0. New York—2010 10111—6. Base hits, 7; errors, 0. Batteries—Haddock and Clements; Meeking, Rusie and Farrel.

At Pittsburgh.

Pittsburgh, May 4.—Today's game was very exciting, both teams battling hard, and by a stream of batting in the eighth inning won the game for Pittsburgh. Score: Pittsburgh—2010 10030—10. Base hits, 14; errors, 2. St. Louis—2042 01000—9. Base hits, 13; errors, 0. Batteries—Cobb and Kreis; Parkers and Spies.

At Baltimore.

Baltimore, May 4.—Superior work at the bat and in the field decided the game in Baltimore's favor. Attendance, 2,700. Score: Baltimore—0004 30001—12. Base hits, 13; errors, 1. Brooklyn—0000 20200—5. Base hits, 10; errors, 2. Batteries—McMahon and Robinson; Sharrett, Daub, Kinslow and LaChance.

At Detroit.

Detroit, May 4.—Detroit was beaten today in the third game of the series. Detroit—0020 00100—3. Base hits, 10; errors, 2. Grand Rapids—0100 60510—14. Base hits, 18; errors, 2. Batteries—Cobb and Kreis; Parkers and Spies.

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At Baltimore.

GUILTY OF MURDER IN THE FIRST DEGREE.

Verdict Against the Slayer of Harry Pool.

WILL BE SENTENCED TO LIFE IMPRISONMENT.

Light Thrown Upon the Lynching of the Barn Burners.

Whitecaps Have Organized to Protect Property in Alabama, and Have Issued Formal Notice to That Effect—Thirteen Anarchists Arrested—Dynamite Devils Defiant—Held for Arson—By the Reapen Route—A Man Who Floated Worthless Stock—Other Crimes.

San Francisco, May 4.—The jury in the case of Mrs. Jane Shattuck, who has been on trial here for over two weeks, charged with the murder of Harry Pool, came in tonight with a verdict of murder in the first degree, fixing the punishment at imprisonment for life. It is reported that nine members of the jury stood out for several hours, insisting that the death penalty should be inflicted.

Mrs. Shattuck shot and killed Harry Pool, a young man who was heir to an estate of about \$100,000, because of his refusal to marry her daughter, Truly Shattuck, who is recognized to be the prettiest girl in the Tivoli chorus.

MEYER POISONING CASE.

Dragged Slowly, Almost Painfully, Along.

New York, May 4.—Carl Muller is not exactly the sort of a witness the prosecution in the Meyer poisoning case enjoys. Today, he admitted under oath that in February he had written a letter to Mr. Brook, attorney for the defense, complaining that the Mutual Life insurance company was not keeping faith with him; that while he had received \$500 for locating Dr. Meyer, he was still in prison, and that the company was not paying his expenses or those of his wife.

Annie O'Hearne, for the prosecution, identified Dr. and Mrs. Meyer, and a photograph of Brandt, who she said died in his coffin in East Thirtieth street in March, 1932. Zaccaria, a witness, swore that he had known Brandt in Chicago and met him again in New York in March, 1932.

Delia Leach, waitress of the house on Eighteenth street, swore she saw Baum dying and dead and had been told by Dr. Meyer that he could not recover.

George Kuhn, a notary public, testified that Meyer brought Wido Baum to him to certify to certain papers enabling her to collect the life insurance. He had cashed the woman's check for \$1,051.

Ferdinand A. Selloch, told of cashing a check for \$2,971, drawn in favor of Mrs. Baum.

Other witnesses testified to the collection of money on the policies by Mrs. Baum.

Daniel J. Gillette, medical adviser of the Mutual life company, described how Mrs. Meyer represented herself to him as Baum's widow.

Thomas J. Munford, resident agent of the Aetna life insurance company, testified that Mrs. Meyer called on him to collect insurance on Baum's life insurance policy. The case was adjourned until Monday.

WHITECAPS ORGANIZED.

A Formal Notice Has Been Issued in Alabama.

Birmingham, Ala., May 4.—A new light has been shed upon the recent lynching of three negro barn burners at Tusculum, a town in North Alabama. The negroes were taken to a bridge over the Tennessee river and after putting ropes around their necks the mob made them jump to death. Closely following this triple lynching, notices were found pasted to the electric light poles at Tusculum. The note reads:

"To the People of North Alabama: 'Many dark deeds have been done in your section, such as burning, stealing, etc. The whitecaps are at it again. We never had an organization in North Alabama until March 23, and now it is here. It is called the whitecaps, and it is here to stay and try to protect the property of our people and do all the good we can. When the law is too slow, we take it in our own hands. We have just eleven on our docket to go as the three did last Saturday night. We have them on trial in our court, and want just a little more evidence. Take notice. (Signed) 'NORTH ALABAMA WHITECAPS.'

MINNESOTA WEDDING PARTY.

Forty Masked Men Attack the Home of the Bridegroom.

Northfield, Minn., May 4.—A report comes from Lester tonight, twenty-two miles southwest of here, of a battle between forty masked men, who repaired to the home of Fred Hirdler, a well-to-do and respected German farmer, who was married a few days ago, and attempted a charivari. Thirty guests were seated at a banquet at 10 o'clock, when the leader demanded \$10 to be paid to the bridegroom, and if refused instead. The door was closed in the speaker's face, and a few minutes later the gang smashed in the door and began their havoc.